

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**BEN KRAMBECK and CLAIM DOC, LLC,**

*Plaintiffs,*

v.

**DAVID FISHBONE and NEEDHAM  
BUSINESS CONSULTING, PA, LLC,**

*Defendants.*

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**CIVIL ACTION**

**No. 17-3934**

**ORDER**

**AND NOW**, this 30<sup>th</sup> day of January, 2019, upon consideration of Plaintiffs’ “Motion to Dismiss the Counterclaim in its Entirety” (Doc. No. 15), Plaintiffs’ “Motion for Partial Summary Judgment on Count I of their Complaint” (Doc. No. 16), and the respective responses and replies to each, and for the reasons set forth in this Court’s accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. Plaintiffs’ “Motion to Dismiss the Counterclaim in its Entirety” (Doc. No. 15) is **GRANTED IN PART AND DENIED IN PART**. The Motion is **GRANTED**, such that Counts I and IV of Defendants’ Counterclaims (Doc. No. 13) are **DISMISSED WITH PREJUDICE**. In all other respects, the Motion is **DENIED**.
2. Plaintiffs’ “Motion for Partial Summary Judgment on Count I of their Complaint” (Doc. No. 16) is **DENIED**.
3. Plaintiffs shall file an answer to the remaining counterclaims **within 30 days of the date of this Order**.

**BY THE COURT:**

**/s/ Mitchell S. Goldberg**

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**MITCHELL S. GOLDBERG, J.**